THE HON'BLE SRI JUSTICE N.V. RAMANA

W.P. No. 15467 of 2001

Oral order:

Assailing the separate orders dated 18.05.2000, passed by the 3rd respondent-Superintending Engineer, rejecting their cases for appointment, the petitioners filed the present writ petition.

Despite passing over the matter to 2.15 p.m., neither the petitioners nor their counsel are present, nor is there any representation made on their behalf.

The respondents filed detailed counter. The learned Standing Counsel for the respondents-AP TRANSCO reiterating the counter averments submitted that the cases of petitioner Nos. 1 to 4 were rejected on the ground that they do not possess the requisite qualification, while the cases of petitioner Nos. 5 and 6 were rejected as they did not produce the service certificate from the contractor.

The relief sought by petitioner Nos.1 to 4, namely to direct the respondents to grant relaxation of educational qualifications cannot be granted, for this Court considered similar issue today in W.P. No. 8257 of 1998 and batch, and dismissed the same observing that when the Board Service Regulations prescribes a particular qualification, the candidates seeking absorption/selection should possess such qualification, and this Court in exercise of its jurisdiction under Article 226 of the Constitution of India cannot relax the prescribed qualifications. The writ petition, therefore, is liable to be dismissed against petitioner Nos.1 to 4 and it is accordingly dismissed against them.

The respondents rejected the case of petitioner Nos.5 and 6 on

the ground that they have not produced service certificates from the Contractors. This Court considered similar issue today in W.P. No. 20459 of 2000 and batch, and considering the agreed stand taken by both the counsel disposed of the said writ petitions with the following directions:

1. The petitioners are at liberty to produce all the relevant material before the Chief General Manager of the respondent organization on or before 24.02.2007 to substantiate their claim.
2. On receiving such material, the Chief General Manager is directed to reconsider the case of the petitioners in the light of the material to be produced by the petitioners and the record available with them and pass a speaking order as expeditiously as possible.

Hence, following the judgment in W.P. No. 20459 of 2000 and batch, dated 02.01.2007, this writ petition in respect of petitioner Nos.5 and 6 is also disposed of on the same terms as stated above. No costs.

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N.V. RAMANA, J.

Date: 2nd January, 2007.
KSR